

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

RANDY ALLEN UPHAM,

Plaintiff,

v.

COMMISSIONER, SOCIAL SECURITY  
ADMINISTRATION

Defendant.

Civil No. 3:23-cv-01114-YY

ORDER FOR REMAND

Based on the stipulation of the parties, it is ORDERED that the above-captioned case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the Appeals Council will instruct the Administrative Law Judge to clarify that there is not a closed period of disability. Specifically, the decision should explain that the claimant has been continuously disabled since May 17, 2011, the date of Plaintiff's application for supplemental security income under appeal, including through May 15, 2017, the day before the claimant was found disabled based on his subsequent supplemental security income application.

The Appeals Council will also instruct the Administrative Law Judge to take any further action needed to complete the administrative record and issue a new decision. The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

IT IS SO ORDERED this 27th day of November, 2023.



YOULEE YIM YOU

UNITED STATES MAGISTRATE JUDGE

Submitted by:

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s/ Edmund Darcher  
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